

## MEETING 13 – April 11

At a Regular Meeting of the Madison County Board of Supervisors on April 11, 2017 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman  
Jonathon Weakley, Vice-Chairman  
Robert W. Campbell, Member  
Charlotte Hoffman, Member  
Kevin McGhee, Member  
V. R. Shackelford, III, County Attorney  
Daniel J. Campbell, County Administrator  
Mary Jane Costello, Finance Director/Asst. County Administrator  
Jacqueline S. Frye, Deputy Clerk

### Agenda Items:

#### Call to Order

#### *Pledge of Allegiance & Moment of Silence*

#### 1. Determine Presence of a Quorum/Adopt Agenda:

Chairman Jackson noted that all members were present; a quorum was established.

Chairman Jackson called for additions/corrections to today's Agenda.

Suggested changes:

- Move: Item 5a (Shenandoah National Park – Jennifer Flynn, Superintendent) after Item #2 (Public Comment)
- Add: Closed Session 2.2-3711(A)(3)

Supervisor Weakley moved the Board adopt today's Agenda as amended, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

#### 2. Public Comment:

Chairman Jackson opened the floor for public comment.

The following individuals provided public comment:

- ✓ Pete Elliott: Advised of the Board's comment approach to items; verbalized concerns property owned by Darryl Payne (Payne's Title Loan, Inc.) that involves a future hair salon to be established (that will use biodegradable products only); the Madison Health Department has been unwilling to allow the establishment, citing that the proposed hair salon will cause problems to the existing septic system due to the chemicals that will be used; asked the Board to do something to help remedy the situation involving people being told 'no' in the County.
- ✓ Darryl Payne (Payne's' Title Loan, Inc.): Advised that his existing business location has housed several businesses in the past (i.e. IGA Food Liner (with deli and meat department), RE-Max Realtors (that consisted of 12 persons being on site) and that the Madison Health Department never verbalized any concerns in the past with the existing septic system; noted that the business currently houses several businesses (i.e. Piedmont Deli, Payne's' Title Loan, Inc.) and has an area that is in place (with two sinks) to accommodate a small hair salon; advised the potential hair salon will use biodegradable products and will not impose any problems on the existing septic system; requested some guidance and assist (from the County) to help a future tenant start up a business in a small portion of the building.
- ✓ Kim Pumphrey (parent of Abigail Griffith): Advised that her daughter (a lifelong resident) has always desired to open a hair salon in the County; proposed location (Piedmont Plaza) is zoned B-1 and is applicable for a hair salon establishment; provided highlights from issues encountered with the Madison Health Department (involving Susan ██████████ Fortenberry and Dwayne Dixon) that requested that the business owner (Darryl Payne) have a wastewater and soil analysis performed by an engineer to determine if the existing septic system would be able to accommodate a hair salon, and that a new septic system may need to be installed in order to accommodate the salon; advised that there have never been any issues with the existing septic system to this point, and feels that (in her opinion) it appears that a hair salon doesn't appear to be a favorable business here; questioned why the Madison Health Department is requiring that a soil specialist and engineer be brought in; asked the Board for assistance in helping her daughter move forward with establishing a hair salon business in the County.

### Comments from the Board:

- *Chairman Jackson: Advised that this matter was brought to his attention earlier today; feels there needs to be some clarification; noted that:*
  - *The Madison Health Department is a state operated organization and doesn't work for the County*
  - *The County wants businesses to come to the locality*
  - *There have been many persons singled out (by Mr. Dixon)*
  - *Recommended that Ms. Pumphrey and Ms. Griffith get in touch with the County Administrator to discuss today's concerns in an effort to attain all available information so assess whether the County can provide assistance*
  - *Advised that state regulations are a bit different*

*\*The County Administrator was asked to contact Ms. Fortenberry [REDACTED] – she was unavailable at this time\**

- *Supervisor Campbell: Advised that there have been issues with the Madison Health Department since 1999; questioned if:*
  - *Other salons established here have had this type of issue (septic/sewer treatment matters)*
  - *The local health official doesn't work directly for the County, but does represent the citizens of Madison County*
  - *Feels that representatives (from the Madison Health Department) should be able to make a decision in a timely manner or (in his opinion) shouldn't have an office in the County*
  - *Feels that Mr. Payne provided a written statement of what was needed to be compliant*
  - *Suggested that a soil engineer be brought in and that the Madison Health Department be bypassed*
  - *Expressed a willingness to provide assistance in any way possible*
  - *Noted that a business owner should be allowed to have multiple businesses operating in a location that taxes are being paid (to the County)*
  - *Encouraged citizens to present any concerns before the Board*
- *Supervisor Weakley: Thanked Mr. Payne for keeping a business in Madison County, and thanked him and Mr. Elliott for presenting today's concerns; also noted that:*
  - *The County doesn't intend to stifle anyone's dream*
  - *The Madison Health Department is a state agency*
  - *Feels the Madison Health Department is stifling someone from fulfilling a dream they've worked hard for*
  - *Advised that there have been planning commission cases that had issues (with the Madison Health Department) in the past*
  - *The existing septic system appears to have been working in the past without any signs of failure*
  - *Offered his assistance (to Mr. Payne), and will review the state regulations*
  - *Feels today's request (as cited by the Madison Health Department) is asinine*
  - *Urged local business owners to present any concerns to the Board's attention*
  - *Suggested that representatives from the Madison Health Department be asked to attend a future meeting to resolve concerns and attain a positive resolution*
- *Supervisor Hoffman: Verbalized agreement with aforementioned comments by the Board members, and:*
  - *Suggested Tom Houston (from Culpeper, VA) be contacted to provide his expertise*
  - *Suggested that Dwayne Dixon not be involved (with today's issue)*
  - *Offered her assistance (to Ms. Griffith) in any way possible*

The County Administrator advised that a meeting was held last week with the Betty Grayson, Zoning Administrator, Wes Smith, Building Official, with Madison Health Department Officials, Susan Fortenberry [REDACTED] and Dwayne Dixon that focused on attaining an agreement that would streamline the review process, and make the process more understandable, reduce time involved, and provide a checklist for future applicants. Details of today's concerns were unknown at that time. The officials have been invited to meet with the Madison County Planning Commission and the Madison County Board of Supervisors. Ms. Grayson is also coordinating a meeting with Carty Yowell, Chair of the Madison County Planning Commission. He further urged the Board members to hold comments until an open meeting can be coordinated between the above referenced entities.

**a. Shenandoah National Park – Jennifer Flynn, Superintendent:** Chairman Jackson welcomed Jennifer Flynn, Superintendent of the Shenandoah National Park.

Ms. Flynn introduced herself to the Board and public, provided a brief overview of her service (to the SNP) and advised that the park service desires to preserve the natural resources to be enjoyed by all. Also noted that the park has outstanding staff and strong communities that surround the park. Additional highlights focused on the following:

### **2016**

- Celebrated the centennial of the national park service (100<sup>th</sup> anniversary)
- Naturalization ceremony was held (for 86 new citizens to the US)
- Rededication/restoration of the platform on top of the Hawksbill Peak
- 1<sup>st</sup> all girl's trail crew (joint partnership with the student conservation association & Girl Scouts' of America)

- Special musical performance
- Educational seminars
- 8.3% increase in visitors to the park (1,450,000 visitors)

## **2015**

- Visitors spent \$8,079,000 in the surrounding areas of the park (i.e. fifty-mile radius)
- Park supports 1,179 jobs (excluding 300 positions within the park)
- Additional highlights focused on:
  - Very good community relations
  - Celebrate Shenandoah Group (initiated during the 75<sup>th</sup> anniversary)
  - Land Use Sub-committee
  - Blue Ridge Committee
  - Blue Ridge Heritage Project
  - Park Partners (Delaware North)
  - Potomac Appalachian Trail Club
  - SNP National Association
- Seven (7) seminars being offered for the public (in the coming year)
- SNP Trust continues to grow (i.e. has pledged over \$400,000.00 in direct support to the park)
- Park desires to remain open (despite having twenty-four [24] positions frozen)
- National Park Week (April 15<sup>th</sup>, 16<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>) [no fee for visitation]
- A portion of Skyline Drive will be open for non-motorized vehicles only (on April 23<sup>rd</sup>) [excluding cars]
- Fee increase (effective January 1, 2017) [done in two phases]
- Revenue of \$7,500,000 is anticipated to be received by the park this year
  - ✚ Park keeps 80% of revenue within the park
  - ✚ Funds can only be spent on items directly related to the visitor experience  
(i.e. upgrading wastewater treatment plant, improvements at campgrounds, offering visitor services, additional programming at the visitors' center, other facility related work)
- Campground at the north end of the park will not be opening until September 1, 2017 (due to a construction project involving the waterline, manholes, etc.)
- Maps/materials (in various formats/languages) are being researched as a means to welcome all who desire to visit
- The park reflects on access and protection (for all visitors)
- The park is here to serve the communities for the long run

### **Comments:**

Supervisor Campbell: Thanked the national park for assistance provided the local hunters

The Board thanked Ms. Flynn for attending today's meeting session.

**3. Constitutional Officers:** Chairman Jackson thanked the Constitutional Officers for attending today's session.

### **4. County Departments:**

#### ***a. Madison County Schools – Energy Audit Proposal & FY Ended 6/30/16 Carryover:***

#### **FY Ended 6/30/16 Carryover**

Tina Cropp, School Finance Officer and Matthew Eberhardt, Superintendent were present. Ms. Cropp advised that the school system would like to request carryover from FY2014-FY2016 funding in the amount of \$249,268.98 (as confirmed in audits for the past three [3] years) to be assigned and specifically purposed to the school capital projects. The County's Finance Director has also initiated calculations for the amount being requested. She also advised that the school system would like to request for FY2016, the amount of \$3,474.48 in unspent state textbook revenue be allocated to the textbook account and remain there until the school system needs funds for textbook adoption.

The Finance Director noted that the correct amount of carryover for FY2014-FY2016 will be \$249,895.91 (instead of \$249,268.98 as previously noted) as a local unexpended appropriation. She also noted that the amount of \$3,474.48 is from the school board's internal records.

- *Supervisor Weakley questioned if the aforementioned amount needs to be initiated as a separate supplemental appropriation request*

The County Administrator advised that if the Board is in agreement, documents can be prepared and presented at the next meeting session for approval.

The Finance Director noted that based on discussions with the auditors, the requested funds can be placed in the school's CIP fund (instead of the school's operating funds which must remain at zero) and remain there. Any unspent school funding goes into the County's general fund. She further explained that if the amount of \$249,895.91 is allocated and the school system only spends \$200,000.00 this year, the balance can remain in the schools' CIP fund (if budgeted to that fund).

Stephanie Murray, Treasurer, questioned if the requested funds can be allocated into the existing CIP fund that's already established for the school system or into a separate bank account (i.e. textbook funds and lottery proceeds funds were established to remain as separate accounts).

Ms. Cropp noted that the funds could be kept on the "County's" side of the budget and remain as 'encumbered'.

- *Supervisor Campbell: Verbalized concerns regarding the school's textbook fund account; suggested there be a clean-up of all carryover/rollover funding; feels the County doesn't know what the future will bring (from a financial standpoint) – suggested the current Board not establish a precedence (for future Boards) to automatically place any leftover school funds into the CIP fund, and that this should be established by future Boards; feels that (in his opinion) 'games have been played' in the past (by the school system) concerning rollover funding and debt service*
- *Chairman Jackson: Advised that rollover/carryover funding isn't added to the school system's operating fund; noted that today's funding will be utilized for capital improvements to address deficiencies in several school facilities; suggested the County utilize these funds; noted that he would not be in favor of allowing the aforementioned funds to be rolled into the school's operating fund; suggested the Board take action on the funding request of \$3,474.48; funding being allocated to the school's CIP fund (will revert back to the County) will not affect County tax dollars; also explained that a precedence has already been established by several Boards to supplement school carryover funding into the school's CIP fund; noted favor of allocating these funds accumulated for the past several years; feels the new strategy being initiated today will resolve today's request, and suggested that future funding requests be handled on a 'case by case' basis; encouraged the school system to continue to save funds*

Ms. Cropp explained that:

- ✓ The school system will have leftover funding each year
- ✓ The school system spends funds before the total amount of applicable revenue is actually approximated (i.e. from sales tax)
- ✓ Any leftover funding (in the future) will be requested (from the County) for allocation into the school's CIP fund
- ✓ In the future, any leftover school funding will be requested (from the County) and allocated into the school's CIP fund.
- *Supervisor McGhee: Verbalized favor of the existing Board refraining from initiating any requirements upon future Boards*

Supervisor Weakley moved the Board approve the amount of \$3,474.48, seconded Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Supervisor Campbell moved the Board approve the amount of \$249,895.91 to go into the school's CIP fund, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**The Board proceeded to the Public Hearing beginning at 5:00 p.m.  
And returned to the Madison County Schools Energy Audit Proposal thereafter**

**\*\*5:00 p.m. Public Hearing – Proposed Ordinance to Fix Tax Rates for the Tax Year Beginning January 1'2017\*\***

Chairman Jackson advised that the Board will move into the public hearing to fix the tax rates for the tax year beginning January 1'2017.

The County Attorney advised that the Board held a public hearing on the FY2018 budget on April 4, 2017 – additional comments can be taken on the proposed FY2018 budget should be the Board desire. The purpose of tonight's public hearing is to set the tax rates, adopt the FY2018 budget, and assess any adjustments that have been made to the proposed budget. In closing, he suggested the Board assess any adjustment to the FY2018 budget. It's anticipated that if any adjustments are made, the adjustments will not change the advertised rates, which are as follows:

- *Real Estate: .68 cents per \$100 of assessed valuation*
- *Tangible personal property (vehicles): \$3.60 per \$100 of assessed valuation*
- *Other tangible personal property: \$3.10 per \$100 of assessed valuation*
- *Machinery/Tools: \$1.67 per \$100 of assessed valuation*
- *Merchant's Capital: .86 cents per \$100 of assessed valuation*

The above rates represent no increase in any category.

In closing, he advised that the County has formally adopted all tax rates by Ordinance, as has been the format for many prior years.

Chairman Jackson advised of the following adjustments to the FY2018 Budget for Madison County:

- ✓ *\$23,054.00 (increase in sales tax)*
- ✓ *\$ 700.00 (increase in expenses for the Madison County Electoral Board [for poll book software])*

- ✓ \$ 8,190.00 (increase in expenses for EOC grant [grant/expenditure revenues didn't balance in the previous budget])
- ✓ \$ 1,000.00 (potential to increase local contribution to the Library [to show the State that the County is making an effort])
- ✓ \*Fund balance already being used (to balance the FY2018 Budget)
- ✓ \*Above items will decrease the appropriation from the fund balance by \$13,224.00

The County Administrator advised that Resolution #2017-4 will be the adoption resolution for the FY2018 Budget; figures noted in the resolution incorporate all of the aforementioned budgetary adjustments as highlighted.

Chairman Jackson opened the floor for public comments on the FY2018 Budget and proposed Tax Rates.

The following individuals provided comment(s);

- ✓ Carl Kirby: Advised that he has only been in the County for a couple of years and is in the process of learning how things operate here; apologized for not being more engaged and knowledgeable; concerns focused on there being no changes with the local funding for the library; also suggested that it's critical for the County's website to be operating properly so the citizens can be fully informed.
- ✓ Peg Clifton (Library): Thanked the Board for the additional funding support.

With no further comments being brought forth, Chairman Jackson closed the public comment opportunity.

#### Comments

- Supervisor Campbell: Advised that local taxes haven't increased because of new building construction and new business in the County; the County is obligated to welcome new business here

#### **13. Adoption of Ordinance #2017-1 [To Fix Tax Rates in Madison County for the Tax Year Beginning January 1'2017]**

#### **14. Adoption of FY2018 County Budget:**

Supervisor Campbell moved the Board adopt Ordinance #2017-1.

*\*The County Attorney suggested the Resolution (to adopt the FY2018 Budget) be acted upon first\**

Supervisor Campbell moved the Board adopt Resolution #2017-4, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Supervisor Campbell moved the Board adopt Ordinance #2017-1 [To Fix Tax Rates in Madison County for the Tax Year Beginning January 1'2017], seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

The County Administrator advised that the Board will need to appropriate the FY2018 Budget at an upcoming meeting in advance of July 1, 2017 before any funding can be expended.

The County Attorney advised that appropriation will be done at the June Regular Meeting (#2) scheduled for June 22<sup>nd</sup>.

#### **Madison County Schools - Energy Audit Proposal**

Tina Cropp, School Finance Officer, advised that the school system has been working with Ameresco, Inc., for the past several months (through the CIP Committee [school/county]) to address an energy performance contract. The process has involved an audit of school facilities and provided a pro-forma outline of the capital improvements that can be done to your building and funded through energy savings; a copy of the pro-forma for the school buildings was provided for review. The current interest rate is 1.5% -1.9%). Any funding that would be used to cover associated costs with utilities could be used for debt service and would be 'budget neutral.' If guaranteed savings are attained (as predicted by Ameresco, Inc.) after completion of construction, the school system will receive a guaranteed refund of the proposed amount of savings. It was also noted that Charlie Barksdale has been advising the school system since the beginning of the process. The school's pro-forma equals \$2,700,000.00 which can be accomplished without increasing the budget, and will involve:

- ❖ Lighting improvements (at the schools)
- ❖ HVAC Replacement (Madison Primary School)
- ❖ Replacement of windows (Wetsel Middle School)
- ❖ Other small items

**Total cost: \$2,700,000.00**

The school system can also add smaller projects to the energy contract without having to place the smaller projects out for bid (i.e. the school/county would like to put up funding), which could include:

- ❖ Exterior lighting (between WMS & MCHS)
- ❖ Flashing lights (replacement at some and installation at others)

- ❖ New boiler (School Board Office)

At this point, there have been no costs for services to perform the initial audit. The school system would like to move forward with the financial process. A conference call has been scheduled for Thursday to discuss today's proposal (as suggested by Virginia Saves), the financial process, and to get the RFP and project terms in order.

Matthew Eberhardt, Superintendent, was present and advised that:

- ❖ The HVAC system at the primary school needs to be replaced as soon as possible
- ❖ Windows at the middle school are in serious need of replacement
- ❖ Lighting upgrades (from fluorescent to LED) will be a cost savings (LED bulbs come with a ten [10] year warranty)
- ❖ Request flashing lights at schools is a safety issue & is the responsibility of the school system (cost of about \$35,000 total)
- ❖ Proposed improvements come with a 'cost savings guarantee' and will be a 'win-win' for the County overall
- ❖ No additional local funds will be needed (by the school system)
- ❖ Replacing the boiler (at the school board office) will cost about \$125,000.00 in the event it fails
- ❖ Feels the interest rates will steadily increase as time progresses
- ❖ Suggested movement be made with the financial process before the school board approves something that will cause the County to maintain a debt

#### Comments from the Board:

- *Chairman Jackson: Noted the current debt service (\$10,800,000) currently in place for the school system and today's proposal of \$2,700,000.00)*

The County Administrator questioned energy costs as related to the pro-forma, and asked if:

- The school system was comfortable in knowing that accurate figures were used (by Ameresco) to determine past energy costs
- The entire proposal is based on the entire energy costs for the school system
- There was a means in place to check the overall assessment and questioned Item #7 "Payments for Ongoing Services" totaling \$15,200 (i.e. who will be the recipient of the aforementioned funds [Ameresco, Inc. or another entity]) in addition to the existing debt service payment; and feels that the:
  - HVAC work is critical (based upon the age of the building)
  - CIP Committee meetings have discussed the energy audit
  - The County will end up paying costs to replace the HVAC in the near future
  - Replacement of windows is a project that needs to be completed
  - Boiler at the SBO

The County Administrator further noted that if the County assumes the additional debt service, any savings could be offset from within the school's budget for reductions to energy costs, and feels the energy audit may be worth pursuing. Noted that the overall process will depend upon the terms of the contract (with Ameresco, Inc.) and the fallback if the proposed savings aren't attained. In closing, he suggested the County Attorney be allowed to review/scrutinize the proposed contract.

The County Attorney advised that he hasn't been actively involved with the contract, as the school board has their own attorney, whom he assumes has been involved. Also noted that guidance from the state representative has been helpful. Noted that energy performance contracts have been in place for a while and have been used by other school districts (and Woodberry Forest School); advised he will inquire to see if other entities that have participated in these types of contracts can provide any input that may assist the County. and whether any pointers can be provided that could assist the County.

- *Supervisor McGhee: Noted that the school system can't assume any debt; no additional local funding will be needed (by the school system); noted that the County will have to assume the entire proposed debt amount.*
- *Supervisor Weakley: Questioned if there are examples of the process being utilized in surrounding localities (during the past five (5) to ten (10) years that could provide some trends*
- *Supervisor Campbell: Advised uncertainty about the proposed guaranteed savings; verbalized disfavor of the Board agreeing to move forward with tonight's proposal; referred to the 'guaranteed' savings – doesn't feel this will be adhered to; advised that the energy audit was discussed during the last CIP committee meeting, but hasn't been discussed by the County; suggested the County Attorney review the proposed contract; referred to costs noted for Item #6 (\$421,629.00) which appears to be related to recent upgrades that were done; recently met with a representative from Rappahannock Electric Co-op regarding lighting in the school parking lot; noted the increase in window replacement costs (rollover funding was allocated to the school CIP to repair windows at the middle school); referred to concerns about replacing the boiler (at the SBO) and advised that any type of heating equipment could fail; feels that much of today's proposed items are hypothetical; questioned if Mr. Barksdale has an overall interest in seeing today's proposal move forward*
- *Supervisor Hoffman: Questioned why the Board is being asked to approve financing tonight*

In response to questions posed by the Board, the following was provided by Ms. Cropp and Dr. Eberhardt:

Ms. Cropp advised that:

- ❖ A similar project was underway in Greene County (about five [5] years ago) and one was done in Shenandoah County
- ❖ Advised that a decision isn't needed on replacing the boiler
- ❖ Noted that Item #5 (new control system) and Item #7 (rooftop unit replacement) are directly related to the primary school facility
- ❖ on today's document
- ❖ Item #6 (retro commission DCC controls) includes three (3) school facilities (WYES, WMC, MCHS)
- ❖ The majority of the \$421,629.00 is directly related to WYES
- ❖ Suggested a joint meeting be scheduled between both governing boards, Charlie Barksdale and representatives from Ameresco, Inc. to discuss the particulars of the proposal
- ❖ The school system feels that today's proposal is an inexpensive way to attain a viable solution
- ❖ Improvements could be funded through regular debt if today's proposal isn't approved

Dr. Eberhardt, Superintendent, advised that:

- ❖ The school board hasn't reviewed the list, been provided with specific details or asked for input as to what their priorities are
  - Tonight's intent was to provide the County with information and entertain questions (as suggested by Virginia Saves)
- ❖ The County will not be asked to fund \$2,700,000.00 until financial opportunities have been discussed
- ❖ No specific details have been provided to the noted that tonight's intent was to provide the County with information, entertain questions, as suggested by Virginia Saves

The Finance Director verbalized concerns regarding today's incentives, and advised that the County will still be responsible to fund the overall debt. Ameresco, Inc., is in the business of doing these types of deals involving energy efficiency and the school system would like to have the proposed improvements. In the event the proposed energy savings isn't found, the County will still have to cover any additional energy costs along with the costs for the proposed improvements. Also questioned how concrete the 'guaranteed savings' will actually be, and suggested that the County have the opportunity to assess any potential savings.

After discussion, Chairman Jackson questioned if Thursday's conference call could be initiated without the school system making any type of financial commitment, as he feels it would be very irresponsible for the Board of Supervisors to agree to today's proposal to commit \$2,700,000.00, and suggested the proposal be presented to the County for review.

Dr. Eberhardt, Superintendent, verbalized the desire to have both governing boards informed, and advised that the energy audit proposal has been presented to the CIP Committee, but no formal discussion has been initiated by the governing boards. He adamantly disagreed that Charlie Barksdale has an interest in the proposed process (as suggested by Supervisor Campbell), and advised that the intent is to have financial information available for the upcoming conference call. In closing, it was advised that no financial commitment has been agreed upon at this time.

After discussion, it was the consensus of the Board to agree:

- *For the school system to move forward with the conference call on Thursday; and*
- *To schedule a joint meeting between the governing boards, Charlie Barksdale and representatives from Ameresco, Inc.*

***Chairman Jackson called for a five (5) minute break.***

***b. Madison County Social Services – Children's Services Act (CSA): Valerie Ward, DSS Director, was present along with Tiffanie Woodward, CSA Coordinator.***

Ms. Ward advised that due to a significant increase in the number of children deemed appropriate for federal foster care and federal adoption service programs, DSS has asked and received an additional \$252,652.00 in 100% federal funding, which is being requested as a supplemental appropriation with no local contribution being required. Prior to the implementation of the Children's Services Act (1992), things were initiated in a territorial manner with very little collaboration; however, there is a current process in place that now mandates all of the children's services agencies to work together to assist children and families that are deemed to be 'at risk'; interagency participation is also provided by Fauquier County, and there wasn't much collaboration; there is a current process that mandates all of the child services agencies work together to assist children and families that are deemed to be at risk. Also noted that interagency participation is provided with Fauquier County. Also noted that Morgan Corbin, FAPT member, was also present, and provides assistance to the local DSS office.

Ms. Woodward provided a power point presentation that focused on the following highlights:

- What is CSA
- What Does the CSA Accomplish



- Where does the Money Go
- So Where Does the Money Go
- What Makes a Child Eligible for the Funding
- The Eligibility Flow Chart
- What Makes a Child Eligible for the Funding
- Available Funding Streams
- Local Interagency Teams
- CSA Coordinator & Their Role
- Demographics of Surrounding Localities
- The Future of CSA

#### Questions:

The County Administrator asked if:

- *The FAPT has a local governmental representative*
- *The CPMT identifies costs for services and noted that:*
- *Funding from VJCCC hasn't been fully utilized in the past several years (portion was returned to the State)*

#### Questions/Comments from the Board:

- *Supervisor Campbell: Questioned if the school system is active in the overall process and what type of future will the children have based on today's circumstances*
- *Supervisor Weakley: Questioned if networking has been initiated with other networks (i.e. schools, CSB's, etc.); verbalized favor of a 'regional' approach where applicable; questioned if the County should consider what types of services could be situated in the County; questioned if it would be more viable to have available services in the locality; feels that today's report of the program isn't sustainable (through no fault of DSS staff); questioned what other localities are doing; questioned if there is any type of reform to control hourly rates that service providers can charge; feels that recommendations made by the court system are overruling; noted that foster care placements are required to receive training; questioned if recommendations can be made to overrule the Judge's ruling (for services) s])*
- *Chairman Jackson: Referred to the cost per child per year (for services) as opposed to educational costs per student; noted that DSS serves 4.8% of the children in the County; referred to the amount of funding being requested today (i.e. local dollars and grant funding)*

#### Responses from Ms. Woodward:

- ❖ Supervisor Hoffman is the governmental representative on the CPMT
- ❖ Explained the process by which information (i.e. to include alternative funding mechanisms and services) is compiled and provided to the CPMT and the FAPT
- ❖ Case Manager is aware of costs for services covering three (3) to six (6) months
- ❖ CSA is advised of the aforementioned funds (by court services)
- ❖ Due to the type of criteria the court must meet, CSA can only access aforementioned funds for legal court cases (i.e. specific types of criminal charges)
- ❖ The school system has a representative (Family Case Worker) on the CPMT
- ❖ CSA tries to focus on the least restrictive placement in an attempt to minimize any disruptions (for the child)
- ❖ CSA's state website provides demographics for all localities within the State of Virginia

#### Responses from Ms. Ward:

- ❖ The school system is very active
- ❖ Most CHINS cases are in the court system and are mandated to receive services from CSA
- ❖ The school's CPMT representative is in place to ensure the school is meeting client needs
- ❖ The Juvenile Probation Officer serves on the FAPT (attends all meetings, provides input on juvenile court cases; helps assess educational services)
- ❖ State initiatives are being reviewed in order to standardize costs
- ❖ Advised that providers are given a contract each year that requests a standardized rate for all services
- ❖ Advised that the greatest number of children in Madison County receive foster care services (59 total) as ordered through the court system
- ❖ Feels the overall process being offered by the County is 'an investment' in the children (that receive services and will help them become contributing members of society)
- ❖ There have been ideas discussed to develop a regional policy management team
- ❖ DSS and regional DSS office met last year (with a private entity that operates a group home) to discuss the desire to bring a group home to Madison County
- ❖ Exploration of real estate was done in the past; space may be available within the next five (5) years (in Orange County) at a reduced rate



In closing, it was noted that a concept was spearheaded to foster a regional CPMT; Scott Riner has been invited to attend a regional CPMT meeting on April 27<sup>th</sup> from 3:00 p.m. to 4:30 p.m. at the Culpeper Library to discuss the aforementioned idea.

Clarissa Berry, Commonwealth Attorney, was present and advised that:

- ❖ Children being court ordered are referred to the FAPT, and may also lead to additional findings and a need for additional services
- ❖ The County doesn't have children meet the criteria for being sent to juvenile detention (and are then referred to CPMT)
- ❖ The County has a statutory obligation to ensure that juvenile records are kept under seal (confidentiality)
- ❖ Feels that services are being provided due to mandates
- ❖ Feels that concerns (pertaining to CSA costs) should be brought to the attention of the General Assembly
- ❖ DSS office is doing its best
- ❖ The committee is working with CSB's to discuss viable alternatives and initiate a part-time facility in Madison County

The County Administrator advised that some rural localities (in the mid 90's) entertained a similar discussion related to CSA, and have asked the State to incorporate changes to the overall program. In closing, he noted that talking with representatives in the General Assembly may appear to be worthwhile, but (in his opinion) not much progress will result. The issue is just hitting Madison County, but has affected other localities within the state for quite some time.

Ms. Ward advised that the state is increasing oversight/requirements/demands on those doing the work in the program. The State has decided to audit the CSA Program; a self-audit was initiated of the County's program three (3) years. As a result of the self-audit, the State has advised by letter dated February 17, 2017, that findings showed the County has an expenditure of \$66,310.34 that was inappropriately expended due to one (1) document being absent from the files during the time services were paid for. In closing, discussions have been made with local team representatives to formulate a response to the State's request.

The Finance Director advised that:

- ❖ Costs for residential placements (over a period of years) are costlier than foster care placements
- ❖ The amount of \$66,310.34 has been identified by the State Auditor as being inappropriately disbursed due to the absence of necessary documentation pertaining to certain cases
- ❖ CSA currently has no auditing process in place
- ❖ Website notes that they are seeking advice from council' as to how CSA Executive Director should handle questionable costs
- ❖ State Auditor has suggested the County take action and have the County Administrator write a letter to acknowledge that the questionable costs do exist
- ❖ Advised that some localities have voluntarily paid any oversight funding
- ❖ CSA could be removed from the State funding pool for three (3) years which would require the locality to provide funding for all mandated services
- ❖ Inconsistencies have been noted (State has allowed some localities to omit repaying of questionable costs)

The County Administrator advised that a letter will be prepared, along with a brief written defense pertaining to:

- The improvements that have been made, and to:
- Advise that the Board of Supervisors has not agreed to a voluntary repayment (of requested funds)

Mike Moscoe, County resident, commented on a local publication pertaining to accountability, and questioned whether parents of children receiving services will be held accountable in any way as a means of allowing the County to recoup some of the associated costs.

Ms. Ward advised that a parental co-pay program was implemented (about five years ago) that calls for children in the foster care program to be automatically referred to the Department of Child Support Enforcement, which determines the amount of parental co-pay for services received. Although other foster care prevention cases aren't automatically referred, a parental co-pay program is initiated that determines cost based on parental income.

Chairman Jackson thanked Ms. Ward and Ms. Woodward for today's presentation.

## 5. Committee/Organization Reports

*a. Shenandoah National Park – Jennifer Flynn, Superintendent (Moved after Item #2 [Public Comment])*

## 6. Finance – Mary Jane Costello

### a. Claims for April 2017

\$52,420.58 (4'11'17)

\$15,388.38 (4'6'17)

\$67,808.96 (Total)

Highlights:

- ✓ 51% of today's claims is for one bill (Physio-Control for \$34,502.25 [Cardiac EKG Monitor paid with grant funding attained by EMS]) \*County will be reimbursed for the supplemented funds) (i.e. EMS received two [2] grants)

Supervisor Campbell moved the Board approve Claims for April 2017 totaling \$67,808.96, as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**b. Supplemental Appropriations:**

**FY2017 Proposed Supplemental Appropriation #23\_04112017:** The Finance Director advised that these funds have been allocated by the State to DSS for foster care and adoption in the amount of \$252,652.00.

Supervisor Campbell moved the Board approve supplemental appropriation #23\_04112017 to DSS totaling \$252,652.00, as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**FY2017 Proposed Supplemental Appropriation #24\_04112017:** The Finance Director advised that the supplemental request is for technology costs; to date, \$60,903.00 – quotes have been received for additional network upgrades in the amount of \$51,427.00; suggested that \$106,000.00 in FY2016 for the Fox Ridge Subdivision (currently in unassigned fund balance) and utilize these funds to pay for technology upgrades for the year (excluding telephone equipment) – remaining balance left to apply to the telephone equipment will be \$15,253 (costs will be about \$130,000.00); suggested that the \$15,253.00 be placed in contingency to be dedicated for the telephone equipment; feels there will be some additional savings in other budgetary categories.

Supervisor Campbell moved the Board approve supplemental appropriation #24\_04112017 (technology) totaling \$106,000.00, with \$90,745.54 being used for technology and \$15,253.46 into the contingency to be designated for telephones, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**FY2017 Proposed Supplemental Appropriation #25\_04112017:** The Finance Director advised that the supplemental is needed to fund CSA through the end of the year based on current estimates (i.e. an additional \$433,645.57 total) – County will need to contribute \$232,203.78 from the general fund.

The Finance Director advised that the allocation of \$15,253.00 will be placed into the contingency fund (after all previous and current deduction) will be \$67,573.00 (excluding the above referenced allocation). In closing, she noted that CSA feels some of their costs will decreased (recent adoptions) – figures provided are estimates only. To date, the total CSA budget (including today's request) is \$3,400,000.00 with the local share being \$1, 212,000.00.

Chairman Jackson: Referred to the current trends (for CSA)

Supervisor Campbell moved the Board approve supplemental appropriation #25\_04112017, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**7. Minutes:**

**a. 2017: #11, #12**

Chairman Jackson called for any corrections to Minutes #11 and Minutes #12.

It was noted that minor corrections were initiated to Minutes #12 – these were resubmitted to all members; Supervisor McGhee was absent from Minutes #12.

#11: Supervisor Weakley moved that the Board approve Minutes #11 as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

#12: Supervisor Hoffman moved that the Board approve Minutes #12 as submitted, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, Hoffman. Abstain: McGhee. Nays: (0).*

**8. New Business**

**a. Secondary Six Year Plan – Work Session Package:** The County Administrator provided a booklet of the secondary six-year plan packet, delivered by VDOT representatives, Greg Banks and Joel DeNunzio. Members were encouraged to review the booklet. Reference was also made on the rural rustic program that will aloe three (3) lane miles to be added to the future plan (for the County) – funding will be about \$17,000, which is favorable. Members were encouraged to provide known roadways (that serve at least fifty [50] vehicles per day] that can be added to the future plan.

- Supervisor Weakley: Advised that citizens living on Shifflett's Corner Road are well pleased with the improvements that have been done.

VDOT representatives will be present at the next meeting to provide additional details, and inquire input from the Board. After information is verified, it will be incorporated into a draft six-year plan; a public hearing will be tentatively set for the May meeting.

**b. Piedmont Workforce Network – Chief Local Elected Official Agreement:** The County Administrator suggested the Board approve the agreement as presented. Chairman Jackson is the Board's representative to the Piedmont Workforce Network (regional program), that serves several localities that are a part of the network area. Today's agreement will need a formative vote from all participating jurisdictions. The goal of the workforce network is to increase employment, job retention/earnings, and look for ways to provide occupational skills/training to help individuals become more qualified for employment.

Supervisor McGhee moved that the Board approve the Chief Local Elected Official Agreement as requested by the Piedmont Workforce Network, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**c. Recycling Report Submitted to DEQ:** The County Administrator provided a copy of the recent DEQ recycling report and noted that the County reached 18.6% of the recycling minimum requirement; no corrective action was necessary.

**d. Review of Website Development Proposals:** The County Administrator advised that several responses were received on the County's RFP for the website; questioned if the Board would like to participate on the Review & Selection Committee, and provide a full recommendation.

After discussion, it was the consensus to appoint Supervisor Weakley and Supervisor McGhee to serve on the Review & Selection Committee.

The County Administrator will provide a copy of the RFP and all proposals; a meeting will be scheduled (to include the Finance Director/Assistant County Administrator) to develop a ranking sheet and subsequent interview sessions within the next (3) to (4) weeks.

**e. RSA Appointment:** Supervisor Campbell moved that the Board reappoint Steven S. Hoffman to serve an additional four (4) year term on the RSA Board, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee. Abstain: Hoffman. Nays: (0).*

## 9. Old Business:

**a. Policy Statement – County Vehicle Use:** Chairman Jackson advised that the County Administrator has provided a revised policy statement for the use of County vehicles.

The County Administrator advised that the following language has been added with regard to the Sheriff's Department:

6-7-3.3. Employee's authorized to take home County owned vehicles. The following County employees are essential to public safety and subject to being called in or mobilization at any time and they are, therefore, authorized to take their assigned County vehicle home during off-work or non-scheduled hours: a) Employees under the supervision of the Madison County Sheriff; as directed and authorized by the Sheriff and as vehicles are made available to the Sheriff's office; b) Animal Control Officers employed by the County, as vehicles are available, and; c) Emergency Management Staff (Director of Emergency Services) , as vehicles are available. {NEW SECTION}

Supervisor Campbell moved that the Board approve the Policy Statement for County Vehicle Use as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**b. Capital Improvement Program Update:** (To be added to the Regular Meeting #2 Agenda)

**c. (Any) Minor Adjustment to Proposed FY2018 County Budget** (Item Completed in Item 14)

## 10. Public Comment:

Chairman Jackson opened the floor for public comment. The following citizen(s) provided comments:

- Bob Chappell: Expressed appreciation to County staff for the single stream recycling endeavor
- Supervisor Weakley: Thanked the school system for allowing the dissemination of the broadband survey
- Clarissa Berry: Noted that it's Telecommunication Professionals Week – thanked the E911 dispatchers for all of the assistance they provide to her office

## 11: Closed Session [2.2-3711(A)(3) Pertaining to discussion or consideration of the acquisition of real property]

Chairman Jackson advised that the Board will need to move into a closed session:

**a. Closed Session:** On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board convened in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(3), pertaining to discussion or consideration of the acquisition of real property for a public purpose,

or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, with the following vote recorded: *Aye: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**b. Motion to Reconvene in Open Session:**

On motion of Supervisor Weakley, seconded by Supervisor Campbell, the Board reconvened in open session, with the following vote recorded: *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**c. Motion to Certify Compliance:**

On motion of Supervisor Weakley, seconded by Supervisor Campbell, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(3), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded: *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**\*No action was taken as a result of closed session\***

**12. Information/Correspondence:** None

**15. Public Comment:** None

**16. Adjournment:**

With no further action being required, on motion of Supervisor Campbell, seconded by Supervisor Hoffman, Chairman Jackson adjourned tonight's meeting. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

\_\_\_\_\_  
R. Clay Jackson, Chairman  
Madison County Board of Supervisors

\_\_\_\_\_  
Clerk of the Board of the Madison County Board of Supervisors

Adopted on: April 25, 2017

Copies: R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee, Charlotte Hoffman, V. R. Shackelford, III,  
Constitutional Officers

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**Agenda**  
**Regular Meeting**  
**Madison County Board of Supervisors**  
**Tuesday, April 11, 2017 at 4:00 p.m.**  
**County Administration Building, Auditorium**  
**414 N. Main Street, Madison, Virginia 22727**



6:00 p.m.

Call to Order

*Pledge of Allegiance & Moment of Silence*

1. Determine Presence of a Quorum / Adopt agenda
2. *Public Comment*  
*5a: Shenandoah National Park – Jennifer Flynn, Superintendent*
3. Constitutional Officers
4. County Departments
  - a. Madison County Schools – Energy Audit & FY Ended 6/30/16 Carryover
  - b. Madison County Social Services – Children's Services Act (CSA)
5. Committee/Organizations
  - a. *Shenandoah National Park – Jennifer Flynn, Superintendent*
6. Finance – Mary Jane Costello
  - a. Claims for April
  - b. Supplemental Appropriations – Information Technology Upgrades
7. Minutes:
  - a. #13
8. New Business
  - a. Secondary Six Year Plan – Work Session Package
  - b. Piedmont Workforce Network – Chief Local Elected Official Agreement
  - c. Recycling Report Submitted to DEQ
  - d. Review of Website Development Proposals

e. RSA Appointment

9. Old Business

a. Policy Statement – County Vehicle Use

b. ~~Capital Improvement Program Update~~

c. (Any) Minor Adjustments to Proposed FY2018 County Budget

10. Public Comment

11. Closed Session [2.2-3711(A)(3) – Discussion or Consideration of the Acquisition of Real Property.....]

12. Information/Correspondence

**5:00 p.m. Public Hearing – Proposed Ordinance to Fix Tax Rates for the Tax Year Beginning January 1'2017**

13. Adoption of Ordinance #2017-a [To Fix Tax Rates in Madison County for Tax Year Beginning January 1'2017]

14. Adoption of FY2018 County Budget

15. Public Comment

16. Adjournment

AMENDMENT DENOTED IN ROYAL BLUE WITH YELLOW HIGHLIGHT

DELETION DENOTED IN ~~STRIKETHROUGH~~